

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-2(c)

Jonathan Stone, Esquire

490 Schooley's Mountain Road – Bldg. 3A
Hackettstown, NJ 07840-4002

Tel. (908) 979-9919 / Fax. (908) 979-9920

jonstonelaw@gmail.com

Party in Interest

In Re:

Diana A. Cook,

Debtor.

Case No.: 11-45821 (MBK)

Adv. No.:

Hearing Date: May 26, 2015

Time: 9:00pm

Judge: Michael B. Kaplan

Chapter: 13

ORDER GRANTING JONATHAN STONE RELIEF FROM THE AUTOMATIC STAY

The relief set forth on the following pages numbered two (2) through (2) is hereby **ORDERED**.

Debtor: Diana A. Cook

Case No.: 11-45821 (MBK)

Caption: **ORDER GRANTING JONATHAN STONE RELIEF FROM THE AUTOMATIC STAY**

THIS CAUSE being brought by Jonathan Stone, Esquire., party in interest, hereinafter (“Movant”) pursuant to the Cross–Motion seeking an Entry of an Order Granting Relief from the Automatic Stay, hereinafter (the “Motion”); and

IT APPEARING that this Court has jurisdiction over the parties and over the subject matter of this bankruptcy case; and

IT FURTHER APPEARING that all parties in interest received notice of the Motion and of the time, date and place of this hearing; and

IT FURTHER APPEARING that the relief requested by Movant in the Motion is consistent with the applicable provisions of Title 11 of the United States Code, and that any objections to the relief requested in the Motion have been withdrawn or overruled, and after due deliberation thereon, Movant having established good and sufficient cause to grant said relief; and

IT FURTHER APPEARING that pursuant to 11 U.S.C. § 362(d) and Federal Rules of Bankruptcy Procedure 4001, Movant may proceed with the filing of a Complaint against Diana A. Cook or any other remedies he may be entitled to pursue;

IT IS HEREBY ORDERED THAT:

1. The Motion is hereby **GRANTED** effective August 1, 2015;
2. Movant’s Application for Retention of Professional would have been granted *nunc pro tunc* based on:
 - a. the Movant took steps to obtain approval on the day he learned that Ms. Cook was in an active bankruptcy;
 - b. Ms. Lavery, Esquire bore responsibility for applying for approval;
 - c. Ms. Lavery, Esquire failed to file the Application for Retention with the Bankruptcy Court;
 - d. the Movant was under time pressure to begin service without approval; and
 - e. the Movant filed a Motion to Withdraw after a reasonable time elapsed for Ms. Lavery, Esquire to comply with applying for approval.
3. Movant is hereby granted relief from the automatic stay under 11 U.S.C. § 362 to pursue a Complaint against Diana A. Cook and may pursue any other remedies he may be entitled to pursue to its conclusion; and
4. This Court shall retain jurisdiction over any and all issues arising from or related to the interpretation and implementation of this Order.